IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN,J

W.P.NO.10944 OF 2006

DATED 09-06-2006

BETWEEN

State of A.P. represented by its Principal Secretary

to Government, Home Department, Secretariat Building,

Hyderabad.

.. PETITIONER

And

S.Viswanatham and 3 others.

…RESPONDENTS

THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN,J

WRIT PETITION NO.10944 OF 2006

ORAL ORDER:(per Sri BPR.J)

Heard both the learned counsel and at their request the writ petition itself is taken up for final disposal.

This petition is filed by the State of Andhra Pradesh aggrieved by the interim orders passed by the A.P.Administrative Tribunal in the Original Application filed under Section 19 of the Tribunals Act by the contesting respondents herein. By the impugned orders, the Tribunal has granted certain directions in the matter of promotions to the post of Additional Superintendent of Police (NC).

The grievance of the petitioners is that the Tribunal has granted the interim order basing on a wrong statement made before it that no final seniority list for effecting promotions to the cadre of Additional Superintendent of Police from the cadre of Deputy Superintendent of Police is available. In fact, the said statement is incorrect and such a seniority list is available in the cadre of DSPs.

This Court, while admitting the writ petition on 30.5.2006 suspended the impugned order dated 24.3.2006 passed in O.A.No.1720 of 2006. It is also submitted by the learned Government Pleader that the interim orders of this Court have already been given effect too.

It is brought to the notice of this Court that the petitioners herein have already filed a detailed counter affidavit along with a vacate stay application and the same is yet to be considered and disposed of by the Tribunal. In the circumstances, without going into the merits of the case, the writ petition is disposed of giving liberty to the petitioners to pursue the vacate stay application pending before the Tribunal, which shall consider and dispose of the same after hearing both the sides. It is needless to mention that any developments or any events taken in the meanwhile shall always be subject to the final orders to be passed by the Tribunal.

B.PRAKASH RAO,J

RAMESH RANGANATHAN,J

Dated 09.6.2006

Note:

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Furnish CC in 3 days

(B/o)

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